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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,708	03/27/2001	Richard Adelson	ADELSON-1	9915
45722	7590	05/09/2006	EXAMINER	
PLEVY & HOWARD, P.C.			NGUYEN, CINDY	
P.O. BOX 226			ART UNIT	PAPER NUMBER
FORT WASHINGTON, PA 19034			2161	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/818,708	ADELSON ET AL.
Examiner	Art Unit	
Cindy Nguyen	2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 14 February 2006.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

4) Claim(s) 1-3, 5, 7-23 and 25-58 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3, 5, 7-23, 25-57 is/are rejected.

7) Claim(s) 58 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 27 March 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) Other: \_\_\_\_\_

## DETAILED ACTION

This is in response to amendment filed 02/24/06.

### *Response to Arguments*

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

#### **1. *Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. *Claims 1-5, 7-13, 16, 18-23, 25-31, 34, 36, 40-52, 55 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US 6026368) (Brown) in view of Owens et al. (US 6092055).***

Regarding claims 1, 19 and 41, Brown discloses the system and method for processing account information contained in batch process files in an on-line like manner (fig. 9 and corresponding text, Brown), said method comprising:

reading at least one batch file containing a plurality of records, each of said plurality of records an associated with one of a plurality of accounts (col. 8, lines 45-58, Brown).

Identifying which of said plurality of records to same ones of said plurality of accounts by creating a work queue which includes index-like entries which identify each of the plurality of records (col. 14, lines 24-58, Brown).

identifying which of said plurality of records relate to same ones of said plurality of accounts (col. 24, lines 35-52, Brown);

processing each of said records identified as relating to said selected one of said accounts prior to processing any of said records relating to any other of said plurality of accounts (col. 24, lines 35-62, Brown).

However, Brown didn't disclose: selecting one of said accounts in accordance with a control cycle and restricting access selected account and removing said restricted access to said selected account after all of said records identified as related to said selected account are processed. On the other hand, Owens discloses: selecting one of said accounts in accordance with a control cycle and restricting access selected account (col. 5, lines 42-52, Owens) and **removing said restricted access to said selected account after all of said records identified as related to said selected account are processed**<sup>1</sup> (col. 5, lines 53-58, Owens). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include step selecting one of said accounts in accordance with a control cycle and restricting access

selected account and removing the restricted account in the system Brown as taught by Owens. The motivation being to enable the system that locks an account while the account is being billed and then releases the account for providing a clean accounting close for a real time transaction processing system (col. 1, lines 65 to col. 2, lines 1, Owens).

In addition, Brown/Owens discloses: generating distinct account tables from the plurality accounts (col. 23, lines 35-56, Brown).

Regarding claims 2, 20 and 42, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown/Owens discloses: further comprising the step of: reporting the results of processing of each selected accounts (col. 25, lines 63 to col. 26, lines 19, Brown).

Regarding claims 3, 21 and 43, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown/Owens discloses: further comprising the step of: storing the results of processing of each selected accounts (col. 24, lines 53-61, Brown).

Regarding claims 4, 22 and 44, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown/Owens discloses: wherein the step of identifying includes validating said records (col. 25, lines 29-56, Brown).

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<sup>1</sup> Owens discloses the step unlocked account after single billing record completed, single billing record can be all (all mean at least one) records related to the account, an account can have one or more records.

Regarding claims 5, 23 and 45, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown /Owens discloses: wherein the step of selecting further comprises; selecting preexisting ones of said accounts prior to new ones of said accounts (col. 22, lines 15-50, Brown).

Regarding claims 7, 25 and 46, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown /Owens discloses: wherein said control cycle is determined autonomously (col. 24, lines 34-52, Brown).

Regarding claims 8, 26 and 47, most of the limitations of these claims have been noted in the rejection of claims 7, 25 and 41 above, respectively. In addition, Brown /Owens discloses: where said control cycle is selected from the group consisting of daily, day specific, weekly, monthly, quarterly, yearly (col. 24, lines 34-52, Brown).

Regarding claims 9, 27 and 48, most of the limitations of these claims have been noted in the rejection of claims 6, 24 and 47 above, respectively. In addition, Brown /Owens discloses: wherein said control cycle is determined manually (col. 24, lines 34-52, Brown).

Regarding claims 10, 28 and 49, most of the limitations of these claims have been noted in the rejection of claims 2, 20 and 42 above, respectively. In addition, Brown /Owens discloses: wherein said step of reporting occurs at preselected intervals (col. Lines 25, lines 63 to col. 26, lines 19, Brown).

Regarding claims 11, 29 and 50, most of the limitations of these claims have been noted in the rejection of claims 2, 20 and 42 above, respectively. In addition,

Brown /Owens discloses: wherein the step of reporting occurs upon detection of a predetermined event (col. 25, lines 63 to col. 26, lines 19, Brown).

Regarding claims 12, 30 and 51, most of the limitations of these claims have been noted in the rejection of claims 3, 21 and 43 above, respectively. In addition, Brown /Owens discloses: wherein said step of storing occurs at preselected intervals (col. 24, lines 34-61, Brown).

Regarding claims 13, 13 and 52, most of the limitations of these claims have been noted in the rejection of claims 3, 21 and 43 above, respectively. In addition, Brown /Owens discloses: wherein the step of storing occurs upon detection of a predetermined event (lock access)(col. 5, lines 42-52, Owens).

Regarding claims 16, 34 and 55, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown /Owens discloses: wherein the step of processing comprises creating bills (col. 24, lines 34-61, Brown).

Regarding claims 18, 36 and 57, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown /Owens discloses: wherein the step of processing comprises generating notices (col. 25, lines 63 to col. 26, lines 27, Brown).

Regarding claim 40, most of the limitations of this claim have been noted in the rejection of claim 19. In addition, Brown/Owens discloses: wherein said input means is selected from the group consisting of: keyboard entry, punch cards, paper tape,

magnetic tape, optical media, electronic media, touch-screen entry, communication network (col. 3, lines 19-62, Brown).

**3. Claims 14, 15, 17, 32, 33, 35, 53, 54 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US 6026368) (Brown) in view of Owens et al. (US 6092055) and further in view of Landry (US 5956700).**

Regarding claims 14, 32 and 53, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. However, Brown/Owens didn't disclose: wherein the step of processing comprises debiting said selected ones of said accounts. On the other hand, Landry discloses: wherein the step of processing comprises debiting said selected ones of said accounts (col. 24, lines 41-62, Landry). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein the step of processing comprises debiting said selected ones of said accounts in the system of Brown/Owens as taught by Landry. The motivation being to enable the system provide the batch processing being transfer using debited.

Regarding claims 15, 33 and 54, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown /Owens/Landry discloses: wherein the step of processing comprises reconciling said selected ones of said accounts (col. 27, lines 53-67, Landry). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to

include wherein the step of processing comprises reconciling said selected ones of said accounts in the system of Brown/Owens as taught by Landry. The motivation being to enable the system provide the batch processing being transfer using debited to reconcile prior payments made.

Regarding claims 17, 35 and 56, most of the limitations of these claims have been noted in the rejection of claims 1, 19 and 41 above, respectively. In addition, Brown/ Owens/Landry discloses: wherein the step of processing comprises determining disbursements (col. 24, lines 41-62, Landry).

**4. Claims 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown (U.S 5956700) in view of Spencer (US 5197002) and further in view of Owens et al. (US 6092055) and further in view of Pare, Jr. et al. (U.S 6154879) (Pare).**

Regarding claim 37, most of the limitations of this claim have been noted in the rejection of claim 19. However, Brown/Owens didn't disclose: wherein said processor is further operable to: backup said selected ones of said accounts. On the other hand, Pare disclose: wherein said processor is further operable to: backup said selected ones of said accounts (col. 13, lines 25-30, Pare). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include step of backup said selected ones of said accounts in the combination system Brown/Owens as taught by Pare. The motivation being to improve ultimate recovery by reducing the time and controlling of any errors occur during the batch process.

Regarding claim 38, most of the limitations of this claim have been noted in the rejection of claim 37. In addition, Brown/Owens/Pare discloses: wherein said backup occurs at preselected intervals (col. 24, lines 35-52, Brown).

Regarding claim 39, most of the limitations of this claim have been noted in the rejection of claim 37. In addition, Brown /Owens/Pare discloses: wherein the step of storing occurs upon detection (lock) of a predetermined event (col. 5, lines 42-52, Owens).

### **5. Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kenna et al. (U.S 6108641). Integrated nested account financial system with medical savings system with medical saving subaccount.

Hutchings (U.S 5940813). Process facility management matrix and system and method for performing batch processing in an on-line environments.

### **6. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gaffin Jeffrey can be reached on 571-272-4160. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*CN*  
Cindy Nguyen  
May 4, 2006

*Frantz Coby*  
FRANTZ COBY  
PRIMARY EXAMINER